

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** Chair Gordon Vance, on February 7, 2017 at 3:00 PM, in Room 405 Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Gordon Vance, Chair (R)  
Sen. Steve Fitzpatrick, Vice Chair (R)  
Sen. Carlie Boland (D)  
Sen. Dee Brown (R)  
Sen. Edward Buttrey (R)  
Sen. Terry Gauthier (R)  
Sen. Jen Gross (D)  
Sen. JP Pomnichowski (D)  
Sen. Roger Webb (R)  
Sen. Lea Whitford (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Laura Sankey Keip, Legislative Branch  
Tia Stockton, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 241, 2/2/2017; HB 267, 2/2/2017

Executive Action: HB 41 - Be concurred in as amended  
HB 92 - Be concurred in  
HB 241 - Be concurred in

00:00:03 Chair Vance

**ADDITIONAL INFORMATION ON HB 41**  
**REFERRED BACK TO COMMITTEE ON FEBRUARY 3, 2017**

00:01:28 Spook Stang, Motor Carriers of Montana (MCA)

00:01:37 Sen. Gauthier entered the meeting.

00:05:23 Chair Vance

00:05:37 Sen. Buttrey

00:05:48 Chair Vance

**EXECUTIVE ACTION ON HB 41**

00:06:24 **Motion:** Sen. Buttrey moved that **HB 41 BE CONCURRED IN.**

00:06:42 **Motion:** Sen. Buttrey moved that **HB 41 BE AMENDED.**  
**EXHIBIT(his27a01)**

**Discussion:**

00:06:45 Sen. Buttrey

00:07:00 Chair Vance

00:07:22 **Vote:** Motion carried unanimously by voice vote of those present and voting.

00:07:29 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 41 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Whitford was excused. Sen. Buttrey will carry the bill.

00:07:54 Sen. Pomnichowski

00:08:08 Chair Vance

00:08:58 Sen. Brown

**EXECUTIVE ACTION ON HB 92**

00:09:19 **Motion:** Sen. Fitzpatrick moved that **HB 92 BE CONCURRED IN.**

00:09:47 **Motion:** Sen. R. Webb moved that **HB 92 BE AMENDED.**  
**EXHIBIT(his27a02)**

**Discussion:**

00:09:50 Sen. Webb

00:10:22 Sen. Buttrey

00:10:58 Chair Vance

00:11:05 Kevin Christensen, Montana Department of Transportation (MDT)

00:11:58 Sen. Buttrey

00:12:49 Sen. Pomnichowski

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00:13:11 Sen. Brown

00:14:14 **Vote:** Motion failed 3-6 by roll call vote with Sen. Brown, Sen. Vance and Sen. R. Webb voting aye.

00:14:21 **Motion:** Sen. Fitzpatrick moved that **HB 92 BE CONCURRED IN.**

**Discussion:**

00:14:35 Sen. Pomnichowski

00:15:44 Sen. Whitford entered the meeting.

00:15:52 Sen. Brown

00:16:25 Sen. Webb

00:16:59 Sen. Buttrey

00:18:07 Chair Vance

00:18:16 Sen. Webb

00:18:46 Sen. Whitford

00:21:59 Sen. Pomnichowski

00:23:14 Sen. Buttrey

00:23:43 Sen. Gauthier

00:24:16 Sen. Brown

00:25:14 **Vote:** Motion carried 7-3 by roll call vote with Sen. Brown, Sen. Vance and Sen. R. Webb voting no. Sen. Buttrey will carry the bill.

00:25:26 Sen. Buttrey

00:25:41 Chair Vance

**HEARING ON HB 241**

**Opening Statement by Sponsor:**

00:25:59 Rep. Alan Doane (R), HD 36, opened the hearing on HB 241, Revise unattended motor vehicle laws.

**Proponents' Testimony:**

00:26:52 Anna O'Donnell, AAA

00:27:18 Spook Stang, representing himself

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:27:59 Sen. Brown  
00:28:11 Rep. Doane

**Closing by Sponsor:**

00:28:42 Rep. Doane  
00:28:48 Chair Vance

**HEARING ON HB 267**

**Opening Statement by Sponsor:**

00:29:14 Rep. Frank Garner (R), HD 7, opened the hearing on HB 267, Revise laws related to bicycles on roadways.

**Proponents' Testimony:**

00:34:30 Melinda Barnes, executive director, Bike Walk Montana (BWM)  
[EXHIBIT\(his27a03\)](#)  
[EXHIBIT\(his27a04\)](#)

00:38:41 Lois Volkening, representing herself  
00:42:16 Linda Gryczan, representing herself  
00:44:29 Anna O'Donnell, AAA  
00:49:57 Larry Volkening, Beaverhead County Planning Board  
00:52:33 Spook Stang, Motor Carriers of Montana (MCM)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:54:01 Sen. Gross  
00:54:48 Ms. Barnes, BWM  
00:55:39 Sen. Buttrey  
00:56:05 Rep. Garner  
00:56:15 Sen. Buttrey  
00:56:46 Rep. Garner  
00:57:48 Sen. Gauthier  
00:57:59 Rep. Garner  
00:58:07 Sen. Gauthier  
00:58:38 Rep. Garner  
00:59:35 Sen. Gauthier  
00:59:40 Rep. Garner  
00:59:45 Sen. Brown  
01:00:18 Ms. O'Donnell, AAA

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01:00:43 Sen. Brown  
01:01:02 Ms. O'Donnell  
01:02:13 Sen. Brown  
01:02:28 Ms. O'Donnell  
01:02:32 Sen. Brown  
01:02:40 Ms. Barnes  
01:03:00 Sen. Brown  
01:03:30 Sen. Fitzpatrick  
01:04:02 Rep. Garner  
01:04:25 Sen. Fitzpatrick  
01:04:57 Rep. Garner  
01:05:44 Sen. Webb  
01:06:06 Ms. Barnes  
01:06:20 Sen. Webb  
01:06:25 Ms. Barnes  
01:06:32 Sen. Buttrey  
01:07:05 Rep. Garner  
01:07:10 Sen. Webb  
01:07:25 Ms. Barnes  
01:07:39 Sen. Webb  
01:07:43 Ms. Barnes  
01:08:07 Sen. Pomnichowski  
01:09:02 Laura Stankey Kiep, Legislative Services Division

**Closing by Sponsor:**

01:09:20 Rep. Garner  
01:10:11 Chair Vance

**EXECUTIVE ACTION ON HB 241**

01:10:41 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 241 BE CONCURRED IN**. Motion carried 8-1 by voice vote with Sen. R. Webb voting no. Sen. Boland will carry the bill.

**Committee Business**

01:11:26 Chair Vance  
01:11:58 Sen. Brown  
01:12:28 Chair Vance  
01:12:42 Sen. Gauthier  
01:12:59 Chair Vance  
01:13:20 Sen. Brown  
01:13:47 Sen. Buttrey  
01:14:02 Sen. Gauthier  
01:14:09 Sen. Pomnichowski  
01:14:33 Chair Vance

**ADJOURNMENT**

Adjournment: 4:14 PM

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Tia Stockton, Secretary

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Additional Documents:

**EXHIBIT**([his27aad.pdf](#))